

**ZB# 93-36**

**Albert Strohl**

**58-6-4**

#93-36 - Strohl, Albert - mea

Fallum,

Sept. 13, 1993

Need copy of:

- (1) Need
- (2) Title Report
- (3) Photos

- (4) Fees: (1) 50.00 paid  
(2) 292.00 paid

When list is ready, we  
Ap. to call for  
appt. to finish legal.

Notice to Sentinel on 9/30/93.

Notice published twice:

Public Hearing 10/7 &  
10/21/93.

Oct. 25, 1993

Crea variance

Granted

# 3/5.

TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, NY 12550

## GENERAL RECEIPT

13587

Sept. 16, 1993

Received of Albert Strohl

\$ 50.00

Fifty and 00/100 DOLLARSFor ZBA 93-36

DISTRIBUTION:

FUND	CODE	AMOUNT
CR. #3483		\$50.00

By Pauline N. TownsendTown Clerk

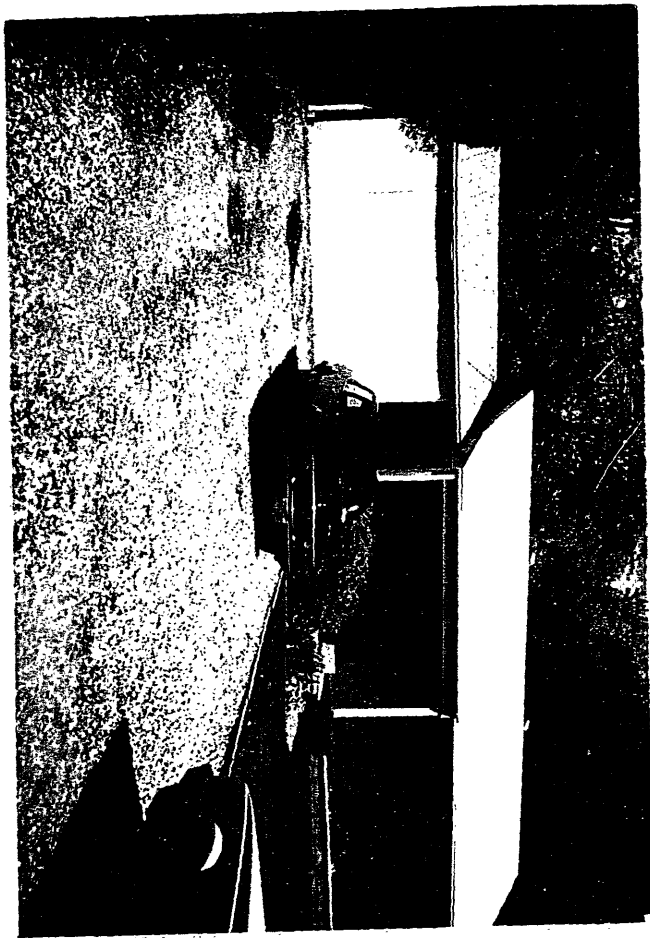
Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

re Exemption)

#315 #105a  
NEUNER, VALERIE A. - Grievances

(Age Exemption)



OK 3483		2500

By Thomas Clark  
Title

WILLIAMSON LAW BOOK CO. VICTOR N.Y. 14564

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Strohl, Albert.

FILE # 93-36

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

APPLICATION FOR VARIANCE FEE . . . . . \$ 50.00 *paid -*  
\* \* \* \* \* *ck # 3483*  
*9/16/93.*

ESCROW DEPOSIT FOR CONSULTANT FEES . . . . . \$ 292.00 *paid*  
*ck # 3484*

DISBURSEMENTS -

STENOGRAPHER CHARGES:

PRELIMINARY MEETING - PER PAGE . . . . .	\$	_____
2ND PRELIM. MEETING - PER PAGE . . . . .	\$	_____
3RD PRELIM. MEETING - PER PAGE . . . . .	\$	_____
PUBLIC HEARING - PER PAGE . . . . .	\$	_____
PUBLIC HEARING (CONT'D) PER PAGE . . . . .	\$	_____
TOTAL . . . . .	\$	_____

ATTORNEY'S FEES:

PRELIM. MEETING- _____	HRS. . . . .	\$	_____
2ND PRELIM. _____	HRS. . . . .	\$	_____
3RD PRELIM. _____	HRS. . . . .	\$	_____
PUBLIC HEARING _____	HRS. . . . .	\$	_____
PUBLIC HEARING _____	HRS. (CONT'D) . . . . .	\$	_____
FORMAL DECISION _____	HRS. . . . .	\$	_____
TOTAL HRS. _____	@ \$ _____	PER HR.	\$ _____
TOTAL . . . . .			\$ _____

MISC. CHARGES:

_____	\$	_____
TOTAL . . . . .	\$	_____
LESS ESCROW DEPOSIT . . . . .	\$	_____
(ADDL. CHARGES DUE) . . . . .	\$	_____
REFUND TO APPLICANT DUE . . . . .	\$	_____

NEW WINDSOR ZONING BOARD OF APPEALS

(58-6-4)

CC: Town  
Clerk

-----X  
In the Matter of the Application of

DECISION GRANTING  
AREA VARIANCE

ALBERT STROHL,

#93-36.  
-----X

WHEREAS, ALBERT STROHL, 8 Park Road, Salisbury Mills, 12575, has made application before the Zoning Board of Appeals for a 10 ft. side yard variance in order to construct an addition to an existing garage at the residential parcel at the above address located in an R-4 zone; and

WHEREAS, a public hearing was held on the 25th day of October, 1993 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the applicant appeared in behalf of himself and spoke in support of the application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant is seeking permission to vary the provisions of the bulk regulations pertaining to side yard in order to construct an addition to the existing garage attached to his residential dwelling in an R-4 zone.

3. The evidence presented by the applicant substantiated the fact that a variance for less than the allowable side yard would be required in order for applicant to be able to construct the addition to the existing garage attached to his residential dwelling, which otherwise would conform to the bulk regulations in the R-4 zone.

4. The evidence presented by the applicant indicated that the house was constructed approximately in 1963, prior to the adoption of the Zoning Local Law of the Town of New Windsor, New York. The side yard provided on the side of the house where the applicant proposes to construct an addition to the existing garage was less than the 15 ft. side yard subsequently required in the R-4 zone. Consequently the existing house has an insufficient side yard but such condition is pre-existing and non-conforming.

5. The applicant now proposes to construct an addition to that existing garage in that already-undersize side yard. The proposed addition to the garage would extend 4 ft. into the already undersize side yard generating a need for a 10 ft. variance. The applicant now submits the instant application for a side yard variance in order to construct the proposed addition to the existing garage.

6. The evidence presented by the applicant indicated that the applicant proposes to construct the addition to the existing garage which will then make the addition a two-car garage in order to house the family vehicles.

7. The evidence presented by the applicant substantiated the fact that the addition will be located to the side of the property. The impact on the neighboring properties is ameliorated due to existing trees which effectively conceal the addition from view of the neighbors.

8. The evidence presented by the applicant and the Board's familiarity with the area indicated that many of the neighboring properties are improved with a two-car garage of a comparable or larger size than the addition which is the subject of this application.

9. The evidence presented by the applicant further indicated that the addition could not be located to the rear of the residential dwelling or underneath the residential dwelling without incurring a substantial additional expense. The applicant believed that such locations for the garage would be impractical and uneconomic improvement to the house since it would not be as functional, would lack utility and would not incorporate the existing garage.

10. The evidence presented by the applicant also indicated that the addition could not be located in the other side yard because the well is located there and it would be prohibitively expensive to move it. Consequently the location of the addition proposed by the applicant appears to have the least adverse impacts upon the applicant and the neighborhood.

11. The evidence presented by the applicant indicated that the garage could not be constructed in a conforming manner by making it only 20 ft. side, rather than the proposed 24 ft. width, since a 20 ft. wide garage would not be functional and would be an uneconomic addition to the house.

12. The evidence presented by the applicant also indicated that the neighborhood surrounding the subject site is developed with residences thereon. Most of these residences are improved with two car garages.

13. The house on the side where the addition is proposed is separated from the applicant's house by approximately 15 ft. Such side yard spacing is typical in this neighborhood. In addition, there are mature trees along the common boundary line which help to screen the proposed addition from the neighbors' view. Said neighbor has raised no objection to this application.

It is the finding of this Board that the minimal negative impact of reducing the side yard is outweighed by the benefit to the applicant.

14. It is the finding of this Board that the requested area variance, if granted, will not blight the proper and orderly development and general welfare of the community since the addition conforms to the character of the neighborhood since many of the neighboring properties are also improved with two car garages of comparable dimensions.

15. Given these factors, it is the finding of this Board that the applicant's proposed addition will not have an adverse effect on property values in the neighborhood.

16. The evidence presented by the applicant further substantiated the fact that the requested variance, if granted, would not have a negative impact on the physical or environmental conditions in the neighborhood since the addition will enhance the applicant's residence, will not detract from the neighborhood, and will not negatively impact the adjacent neighbor because of the screening.

17. It is the finding of this Board that the proposed variance will not adversely impact the public health, safety and welfare.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to applicant which can produce the benefit sought other than the variance procedure.

3. The requested variance is not substantial in relation to the bulk regulations for side yard. However, it is the conclusion of this Board that the granting of the requested substantial area variance is warranted here because the pre-existing, non-conforming side yard was already undersize and because the presence of existing mature trees along the side line provide screening to ameliorate the impact of this variance on the adjacent neighbor.

4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the applicant faces in conforming to the bulk regulations is a partially self-created one. The applicant did not create the pre-existing non-conforming undersize side yard. The applicant did not create the house layout which makes enlarging the garage area into the side yard the only logical and economic manner of constructing this addition. However, the applicant's desire to add the addition is causing a self-created



difficulty in conforming to the bulk regulations. Given the character of the neighborhood where many of the houses are improved with two-car garages, and given amelioration provided by screening and the minimal adverse impact of this requested variance on the neighborhood, it is the conclusion of this Board that the variance should be granted notwithstanding the partially self-created hardship.

6. It is the finding of this Board that the benefit to the applicant, if the requested area variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community by such grant.

7. It is the further finding of this Board that the requested area variance is the minimum variance necessary and adequate to allow the applicant relief from the requirements of the bulk regulations and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variance.

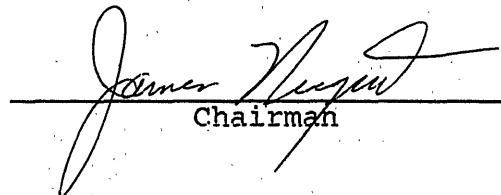
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a 10 ft. side yard variance in order to allow construction of an addition to the existing garage at the above location in an R-4 zone, as sought by applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

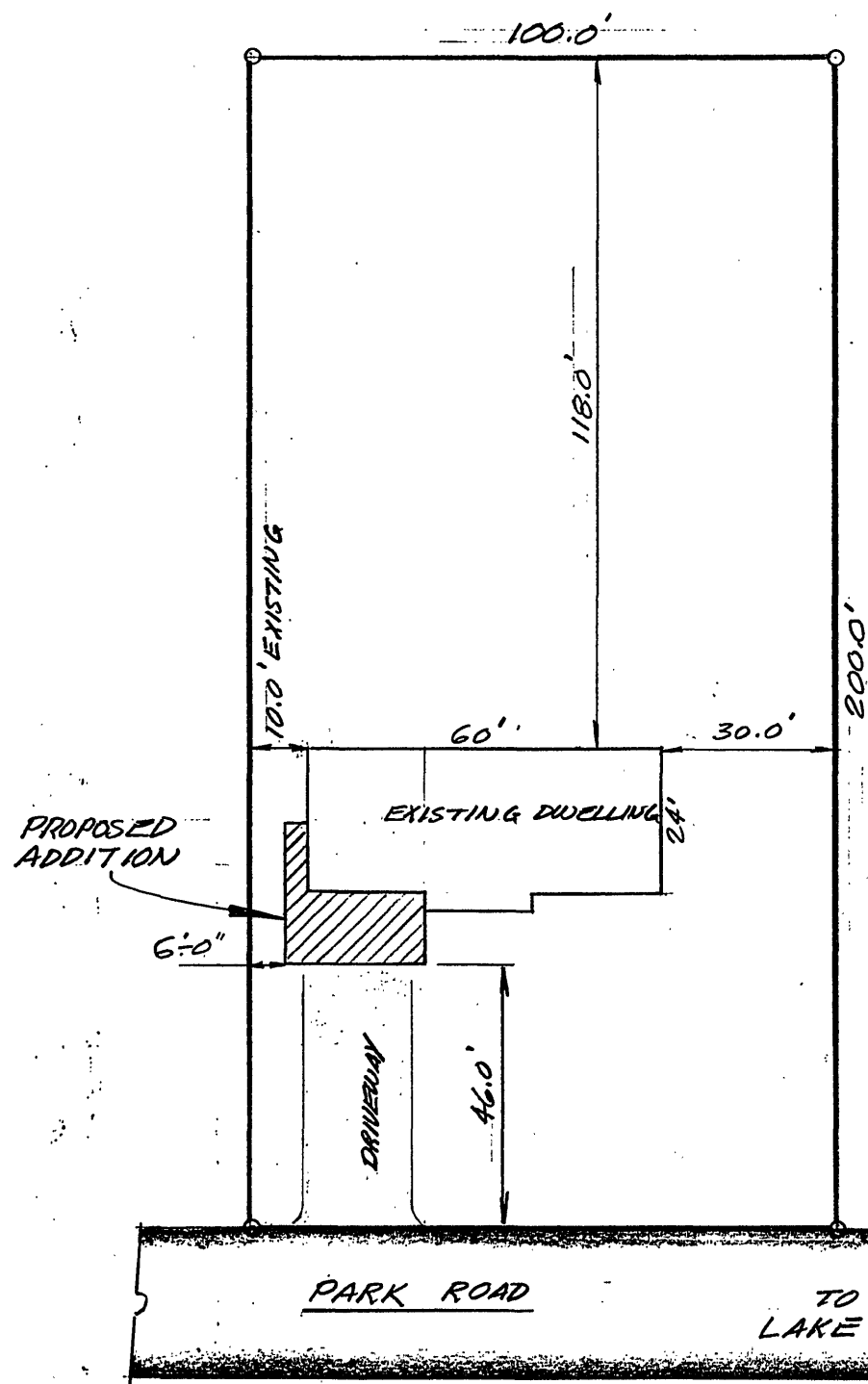
BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

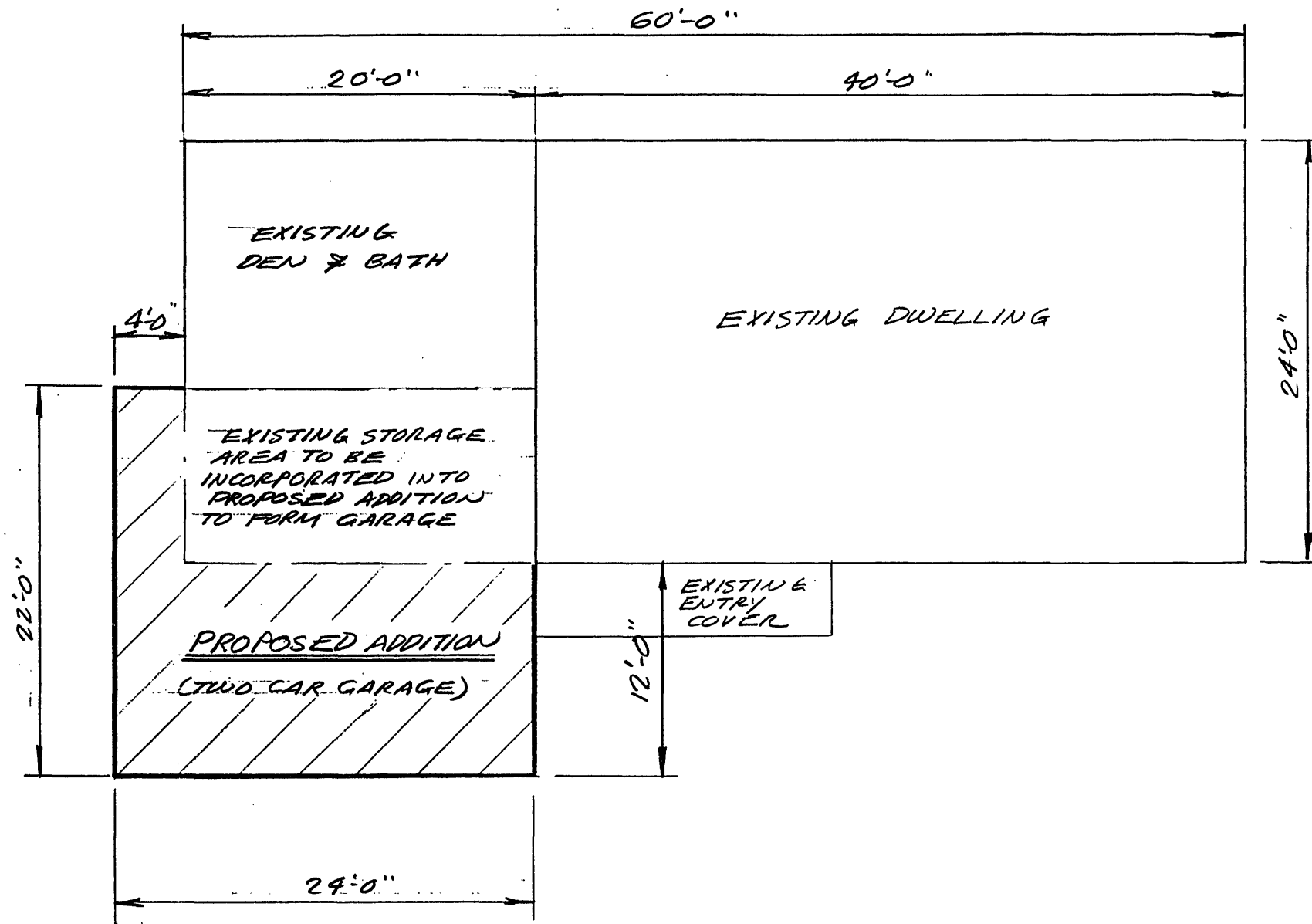
Dated: January 10, 1994.

  
Chairman

(ZBA DISK#9-122793.AS)



SITE PLAN  
1"=30.0'



PLAN OF STRUCTURE  
1/8"=1'-0"

STROHL RESIDENCE

#93-36

8 PARK RD.

TOWN OF NEW WINDSOR

TAX MAP SECT 58 BLOCK 6 LOT 4

ZONE R-4

9-13-93

STROHL, ALBERT

MR. NUGENT: Request for 10 ft. side yard variance for addition to existing garage at 8 Park Road, Salisbury Mills in an R-4 zone.

Mr. Albert Strohl appeared before the board for this proposal.

MR. STROHL: I have here some pictures, if you'd like to take a look at them.

MR. NUGENT: You can go ahead and tell us what you want to do.

MR. STROHL: I would like to expand the garage out towards the road as well as towards the side property and give me a little more room for the cars inside the garage. There's no other way that I can do it, the well is on the other end of the house that just eliminates any possibility of extending the garage over there.

MR. NUGENT: Do I have a little sketch of what you're doing?

MR. STROHL: Yes.

MR. LUCIA: If you could just for the record tell us which side of the house the well is on?

MR. STROHL: Well is on the right side of the house as you are facing it.

MR. LUCKA: I assume this map is north justified but it would be on the east side assuming this is a north justified, maybe, okay, thank you.

MR. NUGENT: Talk to your neighbors?

MR. STROHL: They have no problem with it at all. You can barely even see the neighbors.

MS. BARNHART: And they are not here so I guess they don't have a problem.

MR. LUCIA: On the west side, how close in the nearest neighbor?

MR. STROHL: Okay, that is, he's 15 foot on his side of the property.

MR. LUCIA: Is there shrubbery or screening between the two?

MR. TORLEY: Yes, it's here.

MR. LUCIA: So those are rather mature trees, I guess between the two properties?

MR. STROHL: Yes.

MR. TORLEY: Do you consider 24 foot wide garage is the minimum useable garage for you?

MR. STROHL: Right, any narrower than that, is just going to have cars banking up against each other trying to get in and out with groceries.

MR. LUCKA: A narrower garage would not be functional?

MR. STROHL: Not really.

MR. LUCIA: Also if you were to build it narrower, do you think it would be worth the investment in other words someone coming to look at your property with this garage that is a little bit too narrow, in your view, would they say gee, that really hasn't added X dollars to the house that you spent on it.

MR. STROHL: I feel like if I was to go to a narrower garage that not only would be a detriment to me but it also would be a detriment in the future that whether I turn it over to my family members or sell the house, that would only become a one car garage and rest for paraphernalia.

MR. LUCIA: Do you feel that an undesirable change will be produced in the character of the neighborhood or detriment to nearby properties created by granting this

area variance?

MR. STROHL: None whatsoever. In fact, it should be an improvement in giving my house an L style ranch home similar to my neighbors who just put his garage on a year or so ago.

MR. LUCIA: Is the neighborhood predominantly residential most all lots built on nearby?

MR. STROHL: Yes.

MR. LUCIA: Most of those are two car garages?

MRS. STROHL: Absolutely.

MR. LUCIA: Can the benefit which you seek here be achieved by some other method feasible for you to pursue other than an area variance?

MRS. STROHL: Not that I can find. Try to put it underneath the house would be just detrimental. I would still have to go around the back of the house or end of the house, move my well to try to dig that out would be outrageous expenses and I have only got a 4 1/2 foot crawl space anyway.

MR. LUCIA: Is the requested area variance substantial that is in terms of numbers? You're looking for ten foot side yard against a standard 15 would be be?

MR. BABCOCK: Yes.

MR. STROHL: That will be fine.

MR. LUCIA: Moderately substantial but you're pretty well screened on that side against the neighbor?

MR. STROHL: Right.

MR. LUCIA: Would the proposed variance have an adverse effect or impact on physical or environmental conditions in the neighborhood or conditions.

MRS. STROHL: No, not at all.

MR. LUCIA: Is this difficulty self-created?

MRS. STROHL: No.

MR. LUCIA: The existing ten foot side yard is below standard and I guess we discussed this is a pre-existing house, is that why?

MR. STROHL: Yes.

MR. LUCIA: You did not build the house?

MR. STROHL: No.

MR. LUCIA: And there's no other place to put it that economically can be done?

MRS. STROHL: No.

MRS. LUCIA: Thank you.

MR. NUGENT: There is no one in the audience.

MR. HOGAN: Right.

MR. NUGENT: Open and close the public hearing and open it up to the board for either comment, questions or a motion?

MR. LANGANKE: I make a motion we grant the variance.

MR. TORLEY: Second it.

ROLL CALL

MR. HOGAN	AYE
MR. LANGANKE	AYE
MR. TORLEY	AYE
MR. TANNER	AYE
MR. NUGENT	AYE

**STROHL, ALBERT**

MR. NUGENT: Request for 10 ft. side yard variance to enlarge existing attached garage located at 8 Park Road in an R-4 Zone.

Mr. Albert Strohl appeared before the board for this proposal.

MR. STROHL: I have some copies of what I propose. The way the house is situated on the lot, you can't go either way or the other because of the garage the way it is. I do have plenty of road frontage.

MR. BABCOCK: It still meets the minimum setback of 35 feet.

MR. LUCIA: Mr. Strohl, I gather that the present side line is only 9 feet off the property line, is that correct?

MR. STROHL: Ten in there.

MR. LUCIA: So you are going an additional four feet to reduce that to 5 feet, is that correct.

MR. STROHL: Actually, it's ten foot, I made an error it will bring it down to 6.

MR. LUCIA: You really should be confident of your dimensions, the reason being this board makes no independent measurement of evaluation. We only react to the numbers you give us.

MR. STROHL: I incorrectly wrote the figure it should be 6.

MR. LUCIA: My concern is more for you that if you make an error just as I explained somebody comes to buy your house and their bank or their attorney finds out you should have needed another six inches on a variance. You're back here doing the same thing so I'd be real confident of your numbers, okay?

MR. STROHL: Yes.

MR. BABCOCK: Do you know when this house was built?

MR. STROHL: I believe '62 or '63.

MR. BABCOCK: We don't have any original paperwork on it so I assume it was before 1966, that is why the existing house is ten feet instead of the required. Actually in that zone, well that is R4, 15 feet.

MR. STROHL: There's written in the concrete 1963 I think just inside the basement.

MR. NUGENT: It's ten feet off the line now.

MR. BABCOCK: Yes, house is ten feet off the property line and according to the paperwork that we did, he wants to reduce that to five feet but apparently it's 6 feet, should we change that?

MR. LUCIA: As long as--.

MR. NUGENT: Then side yard should be 9 not 8, I mean the variance should be 9 feet, excuse me.

MR. STROHL: From 6 to 9, he's right.

MR. BABCOCK: My paperwork says ten, he's asking for ten.

MR. NUGENT: I'm going by the agenda.

MR. BABCOCK: He's asking for ten foot side yard and according to that survey, he should be asking for 9 foot side yard.

MS. BARNHART: Do you want to change that on the notice of denial.

MR. LUCIA: As long as Mr. Strohl is confident of the number, if the ten feet gives you a cushion, you might want to let it stay the way it is because you really need to build within those specs.

MR. STROHL: I think it would be wiser to take it.



MR. LUCIA: Unless you're real confident and you had somebody shoot all the lines and offsets that probably gives you a little bit of a cushion.

MR. LANGANKE: We're not judging you any harsher.

MR. STROHL: Let's go with the extra, I don't want to have any problems in the future.

MR. TORLEY: If you had made this 20 foot wide garage extending out the existing line of the house, he wouldn't need to be here, would he?

MR. BABCOCK: No.

MR. TORLEY: If you can live with a 20 foot wide garage, you don't have to go through all this.

MR. STROHL: I considered it, right, 2 car when you open up the doors trying to get in and out of a car without scarring up your wife's car is not so good.

MR. LANGANKE: But he's here.

MR. TORLEY: Just wanted to let him know we're going to run into some money.

MR. HOGAN: Do you have a neighbor to this side here?

MR. STROHL: Yes, the Tooheys, I've spoke to him already. He has no objections whatsoever in fact he feels that it would give him added privacy on his front yard and front deck he has on.

MR. TANNER: How close is his house to the property line?

MR. STROHL: I would guess about 15.

MR. BABCOCK: We should ask for some pictures just maybe that will be--

MR. NUGENT: If there's no further questions, I'll entertain a motion.

MR. TORLEY: So moved.

MR. TANNER: Second it.

ROLL CALL

MR. TANNER	AYE
MR. LANGANKE	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE
MR. HOGAN	AYE

MR. STROHL: Another aspect to this, it would, neighbors now have an L ranch style house, also give my house L ranch style with all the construction in Mecca Park, I feel like a little dog house over there now.

MS. BARHNART: Here's your paperwork.

MR. LUCIA: Pat is handing you an application form with instruction sheet. That is reasonably self-explanatory. If you have any questions, give her a call. Fill that out and you have to return that to her with two checks, both payable to the Town of New Windsor, one for \$50 application fee, second for \$292 deposit against Town consultant review fees and other disbursements the board has in handling your application. I'm also giving you a copy of partial copy of Section 267B of the Town Law and I put an arrow in the margin next to the paragraph for area variances. When you come back for the public hearing, you have to make your presentation again and there's 5 specific factors you need to speak to for this board to grant you an area variance and they are listed here and when you come back be prepared to speak to those. The board has a balancing test in deciding your variance application, whether the benefit to you of giving you this variance outweighs the detriment of the health, safety and welfare of the community by allowing this variance. Also when you come back I'd like to see some photographs of the house and also the neighbor's yard just so we can visually see the impact on that side. And I'd like to see a copy of the deed and title policy.

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

# 93-36.

Date: 9/16/93.

I. ✓ Applicant Information:

- (a) ALBERT STROHL 8 PARK RD. SALISBURY Mills, N.Y. 12577 496-3021  
(Name, address and phone of Applicant) (Owner)
- (b) \_\_\_\_\_  
(Name, address and phone of purchaser or lessee)
- (c) \_\_\_\_\_  
(Name, address and phone of attorney)
- (d) \_\_\_\_\_  
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. ✓ Property Information:

- (a) R-4 8 PARK RD. SALISBURY Mills, N.Y. 5864  
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? \_\_\_\_\_
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO.
- (d) When was property purchased by present owner? OCT 71.
- (e) Has property been subdivided previously? NO.
- (f) Has property been subject of variance previously? NO.  
If so, when? \_\_\_\_\_
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? NO.
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IV. Use Variance. N/A.

- (a) Use Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_, to allow:  
(Describe proposal) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(b) <sup>N/A</sup> The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

✓ V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. F.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. <u>15 ft.</u>	<u>5 ft.</u>	<u>10 ft.</u>
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

\* Residential Districts only

\*\* No-residential districts only

✓ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

WITH THE GARAGE, FAMILY CARS WOULD BE SAFER, MORE PRESENTABLE, WILL ALSO BE A PRIVACY BARRIER FOR GREATER PRIVACY FOR OURSELVES AND OUR NEIGHBOR. IT WILL UPGRADE OUR HOME TO A "L" STYLE RANCH HOME JUST AS OUR NEIGHBORS UPGRADED "L" STYLE RANCH HOME WHICH KEEPS PACE WITH NEW WINDSOR'S GROWING AND IMPROVING TOWN.

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: N/A

(a) Variance requested from New Windsor Zoning Local Law,  
Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a  
variance, and set forth your reasons for requiring extra or over size  
signs.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

N/A  
(c) What is total area in square feet of all signs on premises  
including signs on windows, face of building, and free-standing signs?

\_\_\_\_\_  
\_\_\_\_\_.

VII. Interpretation. N/A.

(a) Interpretation requested of New Windsor Zoning Local Law,  
Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs.,  
Col. \_\_\_\_\_.

(b) Describe in detail the proposal before the Board:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure  
that the quality of the zone and neighboring zones is maintained or  
upgraded and that the intent and spirit of the New Windsor Zoning is  
fostered. (Trees, landscaping, curbs, lighting, paving, fencing,  
screening, sign limitations, utilities, drainage.)

THE EXISTING 15 FOOT CEDAR AND PINE TREES WITH  
BRANCHES THAT TOUCH EACH OTHER WHICH BEGINS AT PARK ROAD  
AND EXTENDS ALONG SIDE OF THE HOUSE TO THE REAR OF THE HOUSE  
WILL BE MAINTAINED. THE UTILITY WIRES WILL ALSO BE BURIED  
BEFORE THE DRIVEWAY IS PAVED.

✓

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Insp. or Planning Bd.  
☒ Copy of tax map showing adjacent properties.



*Pls. publish on or before 10/6/93. Send bill to below Applicant.*

PUBLIC NOTICE OF HEARING BEFORE  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals  
of the TOWN OF NEW WINDSOR, New York will hold a  
Public Hearing pursuant to Section 48-34A of the  
Zoning Local Law on the following proposition:

Appeal No. 36.

Request of ALBERT STROHL

for a VARIANCE of

the regulations of the Zoning Local Law to

permit enlargement of existing attached garage  
w/ insufficient side yard;

being a VARIANCE of

Section 48-12-Table of Use/Bulk Regs. - Col. F

for property situated as follows:

8 Park Road, New Windsor, N.Y.

known & designated as tax lot

Section 58 - Blk. 6 - Lot 4.

SAID HEARING will take place on the 25<sup>th</sup> day of

October, 1993, at the New Windsor Town Hall,

555 Union Avenue, New Windsor, N. Y. beginning at

7:30 o'clock P. M.

James Nugent  
Chairman

By: Patricia A. Barnhart, Secy.

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR  
COUNTY OF ORANGE : STATE OF NEW YORK

In the Matter of Application for Variance of

Albert Strohl

Applicant.

AFFIDAVIT OF  
SERVICE  
BY MAIL

#93,36.

STATE OF NEW YORK )  
 ) SS.:  
COUNTY OF ORANGE )

PATRICIA A. BARNHART, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

On Oct. 1, 1993, I compared the 53 addressed envelopes containing the attached Notice of Public Hearing with the certified list provided by the Assessor regarding the above application for variance and I find that the addressees are identical to the list received. I then mailed the envelopes in a U. S. Depository within the Town of New Windsor.

Patricia A. Barnhart  
Patricia A. Barnhart

Sworn to before me this  
30 day of *September*, 1993.

Kathleen A. Serwick  
Notary Public

**KATHLEEN A. FENWICK**  
**Notary Public, State of New York**  
**No. 4983025**  
**Appointed in Orange County**  
**My Commission Expires** *June 17, 1993*

(TA DOCDISK#7-030586.AOS)





1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

53

September 23, 1993

Albert & Linda Strohl  
8 Park Rd.  
Salisbury Mills, NY 12577

Re: Tax Map Parcel: 58-6-4

Dear Mr. Strohl:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$75.00, minus your deposit of \$25.00. Please remit the balance of \$50.00 to the Town Clerk's office.

Sincerely,

*Leslie Cook* (co)

LESLIE COOK  
Sole Assessor

LC/cad  
Attachments  
cc: Pat Barnhart

McGuinness, Michael J. & A. Tracy  
205 Lake Rd.  
Salisbury Mills, NY 12577

Rossini, Lawrence D. & Kathleen A.  
203 Lake Rd.  
Salisbury Mills, NY 12577

Hall, Michael & Phyllis A.  
Route 94  
Salisbury Mills, NY 12577

Warwick Savings Bank  
c/o Mrs. Frances Gorish  
18 Oakland Ave.  
Warwick, NY 10990

Morgese, Michael & Joy  
12 Mecca Dr.  
New Windsor, NY 12553

Briody, Thomas E. & Sonia B.  
PO Box 129  
Salisbury Mills, NY 12577

Hirsch, Mayer  
6 Hayes Ct.  
Monroe, NY 10950

Risolio, Vincent & Josephine  
5 Park Rd.  
Salisbury Mills, NY 12577

Filippini, Raymond & Annette Risolio  
PO Box 187  
Salisbury Mills, NY 12577

Mecca Marion  
c/o SMS Construction Corp.  
RD 4 Lakeside Dr.  
New Windsor, NY 12553

Sheehan, Timothy & Karen  
17 Mecca Dr.  
Salisbury Mills, NY 12577

Locascio, Philip & Clara  
25 Park Rd.  
Salisbury Mills, NY 12577

Hay, John B. & Catherine H.  
29 Park Rd.  
Salisbury Mills, NY 12577

Hilinski, Anthony L. & Susan  
2 Beaver Brook Rd.  
New Windsor, NY 12553

Cirello, Joseph J. & Christine D.  
61 Lake Rd.  
Salisbury Mills, NY 12577

Marcus, William E. & Rory T.  
178 Lake Rd.  
Salisbury Mills, NY 12577

Deyo, Allen & Joan  
RD #4 Box 437 Lake Rd.  
Salisbury Mills, NY 12577

Kalberer, Roderick W. & Valerie J.  
168 Lake Rd.  
Salisbury Mills, NY 12577

County of Orange  
255-275 Main St.  
Goshen, NY 10924

Kaiser, Steven & Debra  
PO Box 87  
Salisbury Mills, NY 12577

Bar, Alexander A. & Natalie  
PO Box 239  
Cornwall, NY 12518

Foy, Michael R. & Sherrie  
PO Box 150  
Salisbury Mills, NY 12577

Tuohy, Patrick & Deborah A.  
PO Box 196  
Salisbury Mills, NY 12577

Castellane, William W. & Maria D.  
PO Box 165  
Salisbury Mills, NY 12577

Diemer, William C. & Doreen  
7 Mecca Dr.  
Salisbury Mills, NY 12577

Connors, John R. & Elizabeth G.  
11 Mecca Dr.  
Salisbury Mills, NY 12577

Lamarr, Rudolph & Barbara A.  
7 Alphonsa Court  
Salisbury Mills, NY 12577

Park Road Construction Corp.  
PO Box 286  
Salisbury Mills, NY 12577

Spaulding, James G. & Patricia D.  
13 Alphonsa Court  
Salisbury Mills, NY 12577

Burgos, Victor A. & Jacqueline P.  
17 Alphonsa Court  
Salisbury Mills, NY 12577

Flynn, Richard & Lisa M.  
18 Alphonsa Court  
Salisbury Mills, NY 12577

Tagliaferro, Anthony & Lynn Ann  
10 Alphonsa Court  
Salisbury Mills, NY 12577

Biglin, Richard F. & Barbara A.  
6 Alphonsa Court  
Salisbury Mills, NY 12577

Rodstrom, Gregory A. & Anna D.  
Park Rd.  
Salisbury Mills, NY 12577

Boldrin, Robert S. & Bridget A.  
30 Park Rd.  
Salisbury Mills, NY 12577

Corrado, Dominic & Jacalyn  
18 Park Rd.  
Salisbury Mills, NY 12577

Clayton, Sally W.  
30 Hillcrest Dr.  
Salisbury Mills, NY 12577

Rodriguez, Emilio  
28 Hillcrest Dr.  
Salisbury Mills, NY 12577

Burke, Daniel J. & Kathleen M.  
26 Hillcrest Dr.  
Salisbury Mills, NY 12577

Fairview Homes Inc.  
PO Box 479  
Washingtonville, NY 10992

State of New York  
Office of Mental Retardation & Dev. Dis.  
Letchworth Dev.  
Office of Comptroller  
Gov. A Smith Bldg.  
Albany, NY 12236

Osmer, Josephine & Guy R.  
16 Hillcrest Dr.  
Salisbury Mills, NY 12577

Adams, William P. & Helen S.  
39 Donna Lane  
Wallkill, NY 12589

Obermeier, Margarete F.  
12 Hillcrest Dr.  
Salisbury Mills, NY 12577

Quality Custom Home Contractors Inc.  
PO Box 10  
Washingtonville, NY 10992

Conley, Albert N. & Mary Jane  
13 Hillcrest Dr.  
Salisbury Mills, NY 12577

Capone, Joseph R. & Annette M.  
15 Hillcrest Dr.  
Salisbury Mills, NY 12577

Kitchen, Paul M. & Alida J.  
17 Hillcrest Dr.  
Salisbury Mills, NY 12577

Di Maggio, Dominick P. & Dorothy  
21 Hillcrest Dr.  
Salisbury Mills, NY 12577

Dragonetti, Ralph E. Jr.  
6 Forest Lane  
Salisbury Mills, NY 12577

Sirull, Allan & Maureen  
31 Hillcrest Dr.  
Salisbury Mills, NY 12577

Bernstein, Janice  
29 Hillcrest Dr.  
Salisbury Mills, NY 12577

Mallon, Peter & Ann E.  
25 Hillcrest Dr.  
Salisbury Mills, NY 12577

OFFICE OF THE BUILDING INSPECTOR - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK

*Prelim.*  
*Sept. 13, 1993*

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION #93-36.

DATE: AUGUST 11, 1993

APPLICANT: ALBERT STROHL  
PARK ROAD, P.O. BOX 195  
SALISBURY MILL, N.Y. 12577

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED: AUGUST 11, 1993  
FOR (BUILDING PERMIT): TO ENLARGE EXISTING ATTACHED GARAGE  
LOCATED AT: 8 PARK ROAD

ZONE: R-4

DESCRIPTION OF EXISTING SITE: SECTION: 58, BLOCK: 6, LOT: 4  
ONE FAMILY HOUSE

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. INSUFFICIENT SIDE YARD SET BACK - (F-9)

*Thomas A. Lisi*  
\_\_\_\_\_  
BUILDING INSPECTOR

\*\*\*\*\*

REQUIREMENTS	PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE: R-4	USE F-9	
MIN. LOT AREA		
MIN. LOT WIDTH		
REQ'D FRONT YD		
REQ'D SIDE YD	15FT.	5FT. <u>10FT.</u>

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT  
914-563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD

CC: Z.B.A., APPLICANT, B.P. FILES.

Need VANCE

Rec 8-10-93

**IMPORTANT**  
**REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE**

OTHER INSPECTIONS WILL BE MADE IN MOST CASES, BUT THOSE LISTED BELOW MUST BE MADE OR CERTIFICATE OF OCCUPANCY MAY BE WITHHELD. DO NOT MISTAKE AN UNSCHEDULED INSPECTION FOR ONE OF THOSE LISTED BELOW. UNLESS AN INSPECTION REPORT IS LEFT ON THE JOB INDICATING APPROVAL OF ONE OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

1. WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
2. FOUNDATION INSPECTION. CHECK HERE FOR WATERPROOFING AND FOOTINGS DRAINS.
3. INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
4. WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
5. INSULATION.
6. PLUMBING FINAL & FINAL HAVE ON HAND ELECTRICAL INSPECTION DATA AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETED AT THIS TIME. WELL WATER TEST REQUIRED AND ENGINEERS CERTIFICATION LETTER FOR SEPTIC SYSTEM REQUIRED.
7. DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR. A DRIVEWAY BOND MAY BE REQUIRED.
8. \$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE INSPECTION TWICE.
9. PERMIT NUMBER MUST BE CALLED IN WITH EACH INSPECTION.
10. THERE WILL BE NO INSPECTIONS UNLESS YELLOW PERMIT CARD IS POSTED.
11. SEWER PERMITS MUST BE OBTAINED ALONG WITH BUILDING PERMITS FOR NEW HOUSES.
12. SEPTIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
13. ROAD OPENING PERMITS MUST OBTAINED FROM TOWN CLERKS OFFICE.
14. ALL BUILDING PERMITS WILL NEED A CERTIFICATION OF OCCUPANCY OR A CERTIFICATE OF COMPLIANCE AND THERE IS A FEE FOR THIS

**PLEASE PRINT INFORMATION**

Name of Owner of Premises ALBERT STROHL  
Address PARK RD. SALISBURY MILLS, NY Phone 496-3021  
Name of Architect \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_  
Name of Contractor G. P. M. R.  
Address \_\_\_\_\_ Phone \_\_\_\_\_  
State whether applicant is owner, lessee, agent, architect, engineer or builder \_\_\_\_\_  
If applicant is a corporation, signature of duly authorized officer.

\_\_\_\_\_  
(Name and title of corporate officer)

1. On what street is property located? On the \_\_\_\_\_ side of \_\_\_\_\_  
(N.S.E. or W.)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_
2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Yes \_\_\_\_\_ No \_\_\_\_\_
3. Tax Map description of property: Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

1. WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
2. FOUNDATION INSPECTION. CHECK HERE FOR WATERPROOFING AND FOOTINGS DRAINS.
3. INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
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PLEASE PRINT INFORMATION

Name of Owner of Premises ALBERT STROHL  
 Address PARK RD. SALISBURY MILLS, NY Phone 496-3021  
 Name of Architect G. AMER  
 Address  Phone   
 Name of Contractor   
 Address  Phone   
 State whether applicant is owner, lessee, agent, architect, engineer or builder   
 If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the  side of   
 (N.S.E.or W.)  
 and  feet from the intersection of
2. Zone or use district in which premises are situated  Is property a flood zone? Yes  No
3. Tax Map description of property: Section  Block  Lot
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.  
 a. Existing use and occupancy  b. Intended use and occupancy
5. Nature of work (check which applicable): New Building  Addition  Alteration  Repair   
 Removal  Demolition  Other
6. Size of lot: Front  Rear  Depth  Front Yard  Rear Yard  Side Yard   
 Is this a corner lot? NO
7. Dimensions of entire new construction: Front  Rear  Depth  Height  Number of stories
8. If dwelling, number of dwelling units  Number of dwelling units on each floor   
 Number of bedrooms  Baths  Toilets   
 Heating Plant: Gas  Oil  Electric/Hot Air  Hot Water   
 If Garage, number of cars
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use
10. Estimated cost  Fee   
 (to be paid on this application)
11. School District

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.



TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....  
Approved.....19.....  
Disapproved a/c.....  
Permit No. ....

Office Of Building Inspector  
Michael L. Babcock  
Town Hall, 555 Union Avenue  
New Windsor, New York 12550  
Telephone 565-8807

Refer —

Planning Board.....  
Highway.....  
Sewer.....  
Water.....  
Zoning Board of Appeals.....

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date.....19.....

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

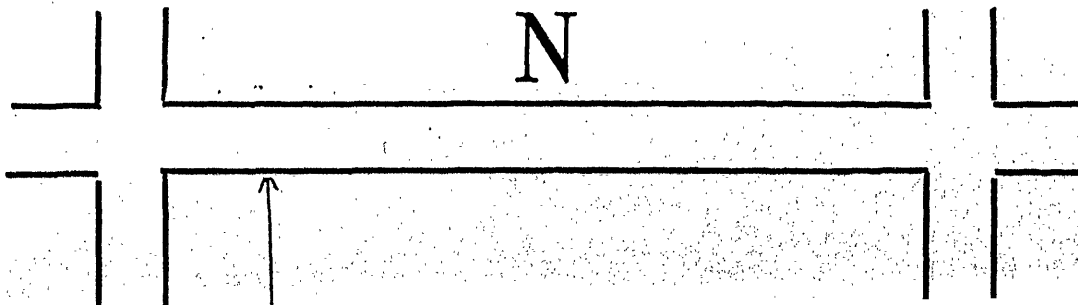
APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

*Albert Strohl*  
(Signature of Applicant)

*PARK RD. SALISBURY MILLS, N.Y.*  
(Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.  
Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Refer —  
Planning Board.....  
Highway.....  
Sewer.....  
Water.....  
Zoning Board of Appeals.....

APPLICATION FOR BUILDING PERMIT  
Pursuant to New York State Building Code and Town Ordinances

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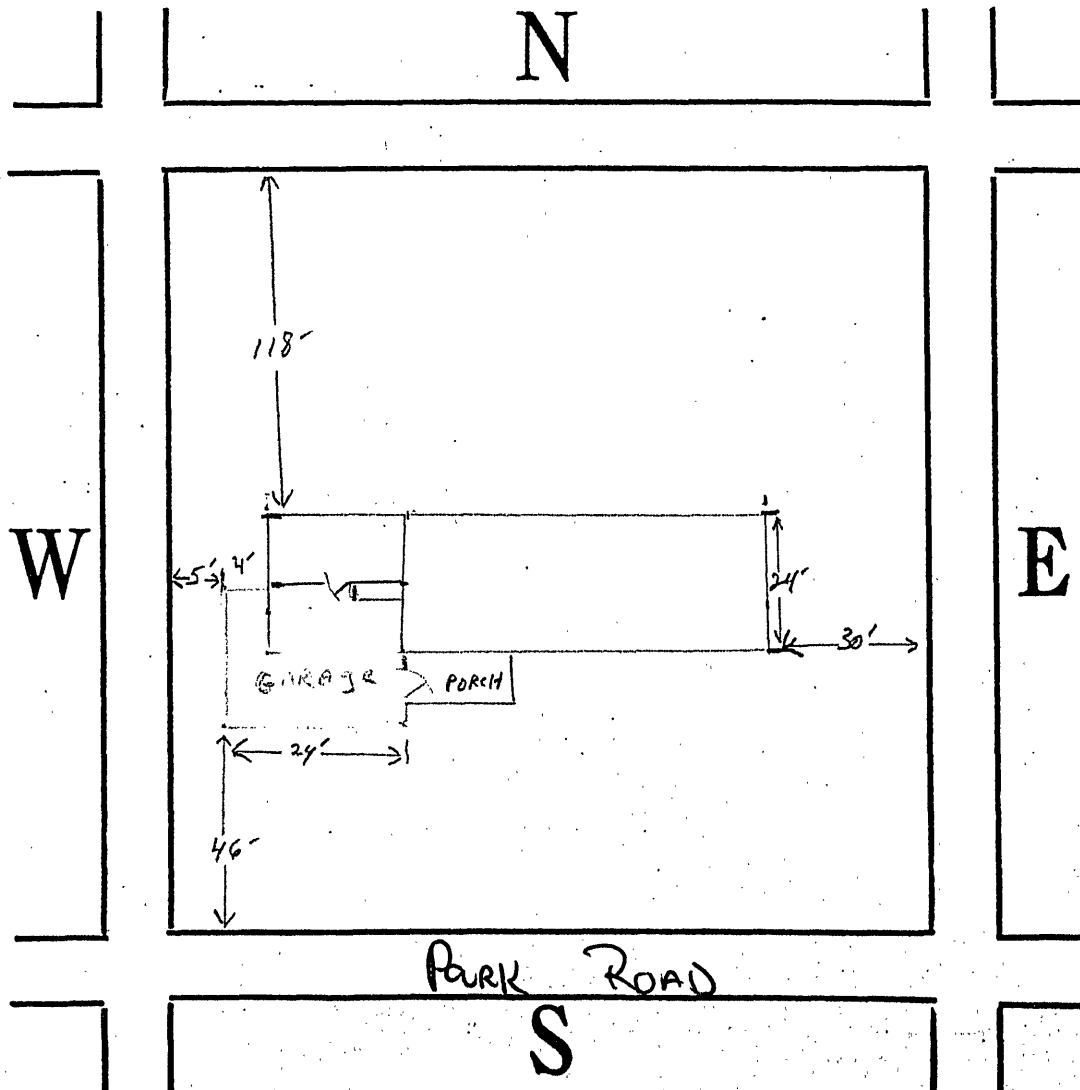
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*Albert Stroh*  
(Signature of Applicant)

*PARK RD. SALISBURY MILLS, N.Y.*  
(Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.  
Applicant must indicate the building line or lines clearly and distinctly on the drawings.



SECTION 57

SECTION 57

SECTION 60

SECTION 57

SECTION 59

ALL WASHINGTONVILLE SCHOOL DISTRICT  
ALL SALISBURY MILLS FIRE DISTRICT

Proposed by  
**AERO SERVICE CORPORATION**  
A DIVISION OF A. T. CO. INDUSTRIES, INC.  
100 NEW YORK AVENUE, NEW YORK 100  
FOR TAX PURPOSES ONLY  
NOT TO BE USED FOR CONVEYANCE

LEGEND			
STATE OR COUNTY LINE	FILED PLAN LOT LINE	TAX MAP BLOCK NO.	FILED PLAN BLOCK NO.
CITY TOWN OR VILLAGE	SECTION LINE	TAX MAP PARCEL NO.	FILED PLAN LOT NO.
BLOCK & SECTION LIMIT	MATCH LINE	AREA	STATE HIGHWAYS
SPECIAL DISTRICT LINE	STREAMS	DIMENSIONS	COUNTY HIGHWAYS
PROPERTY LINE			TOWN ROADS

ORANGE COUNTY-NEW YORK

Photo No. 8-498,499 Date of Map: 9-24-67  
Date of Photo: 3-1-65 Date of Revision: 3-1-91

Scale: 1" = 100'

TOWN OF NEW WINDSOR

Section No. 58